TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

Tuesday, 29th October, 2019

At the meeting of the Tonbridge and Malling Borough Council held at Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 29th October, 2019

Present: Her Worship the Mayor (Councillor Mrs J A Anderson), the Deputy Mayor (Councillor R V Roud), Cllr Mrs P A Bates, Cllr Mrs S Bell, Cllr R P Betts, Cllr T Bishop, Cllr J L Botten, Cllr V M C Branson, Cllr G C Bridge, Cllr C Brown, Cllr R I B Cannon, Cllr A E Clark, Cllr M A Coffin, Cllr D J Cooper, Cllr R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr S M Hammond, Cllr N J Heslop, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr A P J Keeley, Cllr D Keers, Cllr Mrs F A Kemp, Cllr D W King, Cllr K King, Cllr J R S Lark, Cllr D Lettington, Cllr Mrs R F Lettington, Cllr B J Luker, Cllr Mrs A S Oakley, Cllr L J O'Toole, Cllr W E Palmer, Cllr M R Rhodes, Cllr H S Rogers, Cllr J L Sergison, Cllr N G Stapleton, Cllr K B Tanner, Cllr Mrs M Tatton, Cllr M Taylor, Cllr Miss G E Thomas, Cllr D Thornewell, Cllr F G Tombolis and Cllr C J Williams

Apologies for absence were received from Councillors M C Base, M D Boughton, Mrs T Dean, N Foyle, A Kennedy, Mrs C B Langridge, P J Montague and T B Shaw

PART 1 - PUBLIC

C 19/67 HONORARY FREEMAN PETER BOLT

The Council observed a minute's silence in memory of Honorary Freeman Peter Bolt who had died on 13 September 2019.

C 19/68 DECLARATIONS OF INTEREST

Councillors T Bishop and M Davis declared an Other Significant Interest in the item relating to Larkfield Leisure Centre Mechanical, Electrical and Roofing Works Capital Scheme Virement on the grounds that they were the Council's appointees to the Tonbridge and Malling Leisure Trust. They withdrew from the meeting during its consideration.

C 19/69 MINUTES

RESOLVED: That the Minutes of the proceedings of the meeting of the Council held on 9 July 2019 be approved as a correct record and signed by the Mayor.

C 19/70 MAYOR'S ANNOUNCEMENTS

The Mayor expressed thanks to the Council team who had taken part in the Tonbridge Half Marathon and all sponsors in aid of her charity, Cardiac Risk in the Young (CRY). She highlighted a number of memorable occasions since the last meeting including the Oast Theatre Art Exhibition, the Vintage Motor Cycle Club's international rally at the Friars, Aylesford, various Tonbridge Lions Club events and the 15th Anniversary celebration of the Community at Pilsdon at West Malling. Particular reference was made to the Young Cricket Leaders' presentation at Lords Cricket Ground and the opportunity to see The Ashes urn. The Mayor had also attended the Lord Lieutenant of Kent's Farewell Garden Party and the High Sheriff's Justice Service.

The Mayor reported on the successful charity cricket match at Kings Hill Cricket Club and the local primary schools debate in the Council Chamber on 11 October. So many schools wished to take part that a further debate had been arranged for 8 November. Future events included the Charity Evening at the Oast Theatre on 21 January, a Charity Quiz and a possible Golf Day. Further details would follow and the Mayor encouraged support for her fund raising events to enable CRY to undertake screenings in the Borough.

C 19/71 PLANNING APPLICATION TM/18/01240/FL - WOODFORD, OLD LANE, IGHTHAM

Consideration was given to the report of the Director of Planning, Housing and Environmental Health in relation to the section 73 application TM/18/01240/FL for variation of conditions 1 (time limited and personal condition), 2 (restore site when temporary consent expires) and 4 (number of caravans) pursuant to planning permission TM/11/01444/FL (variation of conditions 1 and 2 on TM/07/01238/FL: change of use for stationing of two caravans for residential use, fencing and sheds for occupation by a single gypsy family) at Woodford, Old Lane, Ightham. The application had been adjourned for determination by the full Council in accordance with Council Procedure Rule No 15.25 following consideration by the Area 2 Planning Committee on 14 August 2019.

In order to facilitate the proper consideration of the application, the Council agreed to suspend its own procedure rules and resolved itself into a committee to which rules relating to a planning committee were applied. Considerable discussion ensued.

In reaching its decision, the Council had regard to the reports considered by the Area 2 Planning Committee on 3 July and 14 August 2019 including the report of the Director of Central Services and Monitoring Officer which contained exempt information (LGA 1972 Sch 12A Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings).

Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the Council when determining the application (speakers listed below).

RESOLVED: That planning permission be GRANTED subject to the conditions and informative set out in the report of the Director of Planning, Housing and Environmental Health.

[In accordance with Council and Committee Procedure Rule 8.6, Councillors R Betts and M Coffin requested that their vote against the motion be recorded.]

[Speakers: Ms P Cracknell – Ightham Parish Council; Mr L Sinclair, Mr J Miles, Mr S Russell and Mrs R Simpson – members of the public; Mr J Moore – on behalf of the applicant.]

C 19/72 QUESTIONS FROM THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 5.6

No questions were received from members of the public pursuant to Council Procedure Rule No 5.6.

C 19/73 QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5

No questions were received from Members pursuant to Council Procedure Rule No 5.5.

C 19/74 LEADER'S ANNOUNCEMENTS

Remembrance Sunday

The Leader advised that this year marked the RBLI's 100th anniversary year at Aylesford and its transformational work with veterans and people with disabilities. It was therefore a huge privilege for the RBLI and the Borough that Her Majesty the Queen would be officially opening the New Extra Care Facility in the village and cutting the Turf for the Centenary Village on 6 November.

There would be a number of Remembrance Day parades throughout the Borough with the Mayor, Chief Executive and Leader attending the service at Tonbridge and the Mayor and Director of Finance and Transformation at West Malling. The Deputy Mayor would be at Snodland while the Chief Executive and Leader would attend the service at the Aylesford RBL village.

Peter Bolt

The Leader commented that it was fitting that the Council should hold a minute's silence in memory of Peter Bolt. Many tributes had been paid

to him on hearing the news that he had passed away. Peter was the most hard-working and dedicated councillor and always fought extremely hard to get the very best for the communities he served. He was the champion for the Judd ward over many years, having a true passion for meeting residents, hearing their views and thoughts, as well as taking time to explain particular issues that might affect them. He also had an enormous appetite for attending meetings, reading agendas with great care and preparing himself in equal measure. The Leader reflected that if he were here today, he would be sitting in the row just behind and giving a running commentary on the meeting as it progressed.

The Leader was very pleased that the Mayor was able to present Peter with his Honorary Freeman scroll just a few weeks before he passed away. This accolade meant an enormous amount to him and Margaret, his wife. Along with a number of colleagues, the Leader had attended Peter's funeral and wished to place on record his appreciation to the Chief Executive for her wonderful tribute to Peter and the support provided to Margaret and the family.

Finances

Members would be aware from the most recent report to Cabinet that, despite the savings and efficiencies made since 2013, fresh challenges were continually directed at the Council. Tonbridge and Malling had not received government revenue support grant since April 2017, accepting that New Homes Bonus and Business Rates Retention would be important elements of its funding.

There remained uncertainty about the full introduction of the Business Rates Retention. If the intentions set out in the finance settlement technical consultation were carried through, New Homes Bonus would be withdrawn and there was no certainty about a replacement. Both added to other pressures being faced making the reality of the Council's funding gap in the region of £800k. The Leader emphasised that such a challenge required understanding of the reality of making tough choices and he was in no doubt that expenditure must be prioritised towards mandatory services.

Household recycling collection service

Members were advised that the roll out of the new household recycling collection service had been a significant task for the Council and the contractor, involving nearly 55,000 properties, and had been successful for the majority of residents. However, the Leader recognised that this had not been the experience for a number of residents across the Borough, particularly with late/missed collections and non-completion of rounds.

Whilst the first four weeks had so far been challenging, which was always anticipated, to date the roll-out had generally been successful,

whilst recognising those areas where service delivery had not been good enough. Reference was made to residents fully engaging with the new opportunities to recycle. Whilst this was clearly very positive, it also brought its own challenges and waste streams in the early weeks could be higher causing increased trips to unload and longer times to empty. There had also been unforeseen challenges, not least the temporary closure of the nearby household recycling site at Pepperhill.

It was disappointing that there had been issues with the introduction of the new service and the Council officers were in constant dialogue with Urbaser to address them. The Leader had met the UK Operations Director of Urbaser on Friday to make clear his frustration about the introduction of the new service and it was agreed that the company would immediately introduce additional rounds to the service. Urbaser representatives would attend the forthcoming meeting of the Street Scene and Environment Services Advisory Board to enable Members to make direct comment about the new service to the contractors.

Temporary Accommodation

The Leader referred to an item later in the proceedings when he hoped that the Council would agree the recommendation to purchase additional property for temporary accommodation. This was an important addition as its purpose was to both manage and reduce the costs to the Council in comparison with nightly paid accommodation. The purchase of the property in High Street, Tonbridge was working well operationally and financially with a cost saving of circa £50,000 when compared to nightly paid accommodation.

Officers were continuing to look at a number of options for a suitable property across the Borough. The purchase cost would be from a balance of around £500,000 of the original budget of £1.6m of developer contributions towards providing affordable housing. This would be supplemented by income from the business rates retention scheme reserve, property fund investment reserve, general revenue reserve and new homes bonus.

Larkfield Leisure Centre

Reference was made to the vital improvement works taking place at Larkfield Leisure Centre, resulting in the leisure pool and teaching pools being closed until late May 2020. The Fitness Pool and all other areas of the building remained open and the Centre's full activity programme continued as normal. The works included the removal and replacement of the Pool Hall roof with a multiwall structured polycarbonate which would deliver improved heat retention. Further improvements to the building included replacing the boilers, improving the air handling and upgrading the Leisure Pool with new features.

Haysden Country Park

The Leader advised that Haysden had been awarded a Country Park Accredited Status following an assessment by Natural England, a status which would remain valid for the next three years. This supplemented the host of other accolades awarded to the park, including designation as a Local Nature Reserve, in part a Site of Nature Conservation Interest, and a Green Flag Award since 2006. It was a credit to the team of officers, rangers and volunteers who managed the park so well that Haysden Country Park had achieved the Country Park Accredited Status.

Town Centres

The Leader gave an update on the Borough Council's engagement with high street retailers including the Town and District Shopfront Grant Scheme, funded from the Business Rates Retention pilot. Through this scheme 19 business owners had been offered grant support, four of which were given hands-on support by an advisor from Action with Communities in Rural Kent.

At its last meeting, the Economic Regeneration Advisory Board agreed to extend the scheme to Local Centres and Parades. It was planned to launch the initiative before the end of December but due to growing interest and awareness of the initiative, the Leader had asked that contact be made with independent retailers and food outlets at the end of September 2019. Out of the 62 businesses contacted, so far 20 had sought more information about the scheme with a good geographical spread of interest.

Fairtrade Tonbridge

Finally, members of the Economic Regeneration Advisory Board would be aware that an application to renew the Fairtrade status for Tonbridge was to be made. A steering group of retailers, faith groups and schools was chaired by Councillor Frixos Tombolis and the Leader was pleased to report that the application had been approved on Friday, in itself an excellent testimony to those involved. He indicated a wish to see other retail centres within the Borough consider making similar applications in the future.

C 19/75 TREASURY MANAGEMENT UPDATE AND ANNUAL REPORT FOR 2018/19

Item AU 19/29 referred from Audit Committee minutes of 29 July 2019.

RESOLVED: That the recommendations at Minute AU 19/29 be approved.

C 19/76 PROPOSED SCHEME OF CO-OPTION

Item OS 19/21 referred from Overview and Scrutiny Committee minutes of 29 August 2019.

RESOLVED: That the recommendations at Minute OS 19/21 be approved.

C 19/77 DISCLOSURE AND BARRING SERVICE POLICY AND PROCEDURE

Item GP 19/18 referred from General Purposes Committee minutes of 8 October 2019.

RESOLVED: That the recommendations at Minute GP 19/18 be approved.

C 19/78 TREASURY MANAGEMENT UPDATE AND MID-YEAR REVIEW 2019/20

Item CB 19/56 referred from Cabinet minutes of 16 October 2019.

RESOLVED: That the recommendations at Minute CB 19/56 be approved.

C 19/79 LARKFIELD LEISURE CENTRE MECHANICAL, ELECTRICAL AND ROOFING WORKS CAPITAL SCHEME - VIREMENT

Item CB 19/57 referred from Cabinet minutes of 16 October 2019.

RESOLVED: That the recommendations at Minute CB 19/57 be approved.

C 19/80 REVIEW OF COMMUNITY SAFETY

Item CB 19/58 referred from Cabinet minutes of 16 October 2019.

RESOLVED: That the recommendations at Minute CB 19/58 be approved.

C 19/81 IT STRATEGY AND DIGITAL STRATEGY UPDATE

Item CB 19/59 referred from Cabinet minutes of 16 October 2019.

RESOLVED: That the recommendations at Minute CB 19/59 be approved.

C 19/82 DISABLED FACILITIES GRANT BUDGET 2019-20

Item CB 19/60 referred from Cabinet minutes of 16 October 2019.

RESOLVED: That the recommendations at Minute CB 19/60 be approved.

C 19/83 REVIEW AND REPLACEMENT OF COUNCIL WEBSITE

Item CB 19/61 referred from Cabinet minutes of 16 October 2019.

RESOLVED: That the recommendations at Minute CB 19/61 be approved.

C 19/84 PURCHASE OF TEMPORARY ACCOMMODATION

Item CB 19/62 referred from Cabinet minutes of 16 October 2019.

RESOLVED: That the recommendations at Minute CB 19/62 be approved.

C 19/85 APPOINTMENTS TO OUTSIDE BODIES

The report of the Director of Central Services advised that the Allington energy from waste generating station's long standing Community Liaison Group, established to ensure effective engagement with local stakeholders, was currently attended by Councillor S Hammond in addition to officers. Consideration was given to the formal appointment of Councillor Hammond as the Council's representative on the group.

RESOLVED: That Councillor S Hammond be formally appointed to the Allington Community Liaison Group.

C 19/86 SEALING OF DOCUMENTS

RESOLVED: That authority be given for the Common Seal of the Council to be affixed to any instrument to give effect to a decision of the Council incorporated into these Minutes and proceedings.

PART 2 - PRIVATE

C 19/87 TM/18/01240/FL - WOODFORD, OLD LANE, IGHTHAM

(LGA 1972 Sch 12A Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings)

Members received the private report of the Director of Central Services and Monitoring Officer (Minute C 19/71 refers).

The meeting ended at 9.01 pm